



**COMMUNITY DEVELOPMENT AUTHORITY  
MINUTES**

September 28, 2010, 5:30 p.m.  
Council Chambers, 224 East Jefferson Street

**Draft**

1. **CALL TO ORDER**

Chairman Bil Scherrer called the meeting to order at 5:30 p.m.

2. **ROLL CALL**

The following commissioners were in attendance: Bil Scherrer, Mayor Bob Miller, Jack Eckola, Jim Spiegelhoff, Jim Peterson and Judie Lemieux, Absent: Alderman Jeff Fischer. Also in attendance: City Administrator Kevin Lahner.

3. **APPROVAL OF MINUTES FROM September 7, 2010**

A motion was made by Spiegelhoff to approve the minutes from the September 7, 2010 CDA Meeting. Peterson seconded the motion and with all in favor, the motion carried.

4. **PERSONS DESIRING TO BE HEARD**

None

5. **REVIEW AND CONSIDERATION OF RESOLUTION 101 TO APPROVE AMENDMENT NUMBER TWO TO A FINANCING AGREEMENT BETWEEN THE CDA AND THE FRANCISCAN FRIARS ASSUMPTION BVM PROVINCE, INC. WITH RESPECT TO THE \$3,475,000 SENIOR HOUSING REVENUE BOND, SERIES 1999.**

City Administrator Kevin Lahner reminded the authority of a previous amendment to the financing agreement that was done in April, 2010. He further stated this is an agreement that was in place with the Town of Burlington prior to annexation of the property and has no bearing on City finances or bond ratings. It is similar to an Industrial Development Revenue Bond where CDA approval is needed whenever a financing change is desired by the owner.

A motion was made by Lemieux to approve Resolution 101 with a second by Eckola. Roll Call Ayes: Scherrer, Miller, Eckola, Spiegelhoff, Peterson and Lemieux. Nays: None. Motion carried 6-0.

6. **ADJOURN INTO CLOSED SESSION**

A motion was made by Miller and seconded by Peterson to adjourn into Closed Session per Wisconsin Statutes 19.85(1)(g), "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is not likely to become involved". Roll Call Ayes: Scherrer, Miller, Eckola, Spiegelhoff, Peterson and Lemieux. Nays: None. With all in favor, the closed session began at 5:34 p.m.

7. **RECONVENE INTO OPEN SESSION**

A motion was made by Peterson, seconded by Spiegelhoff to reconvene into open session. Roll Call Ayes: Scherrer, Miller, Eckola, Spiegelhoff, Peterson and Lemieux. Nays: None. With all in favor the open session began at 5:57 p.m.

**8. PROPOSED ACTION FROM CLOSED SESSION**

- A. A motion to deny the Notice of Claim and Bid Protest from Metro Parking, LLC was made by Eckola, with a second by Peterson. Roll Call Ayes: Scherrer, Miller, Eckola, Spiegelhoff, Peterson and Lemieux. Nays: None. Motion carried 6-0.
  
- B. A motion to reaffirm the Award of Bid to Riley Construction and reject all alternates was made by Lemieux, with a second by Eckola. Roll Call Ayes: Scherrer, Miller, Eckola, Spiegelhoff, Peterson and Lemieux. Nays: None. Motion carried 6-0.

**7. ADJOURNMENT**

A motion was made by Peterson to adjourn the meeting. Spiegelhoff seconded the motion and with all in favor the meeting adjourned at 6:01 p.m.

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Recording Secretary,  
Megan E. Johnson  
Assistant to the City Administrator